hundreds of rupees. It will be an uphill task to the petty traders to improve their premises or warehouses in accordance with the clauses of the new Bill. Even a reasonable time within which the existing warehouses could be improved is not thought of and no provision made giving such facilities to the existing warehouses. Whatever may be the restriction that may be placed upon the warehouses to be opened after the passing of this Regulation, the existing warehouses should not be forced to come under the New Regulation for punishment. Therefore the word "used" in the proposed clause should be deleted.

The Municipal Regulation as it now exists and the Bill now introduced for amendment are complicated. There is only one Regulation for the City, Town, and other Minor Municipalities. One has to wade through to find out the sections relating to the City and Town Municipalities. Such a difficulty was experienced by us when reading the Bill in the Select Committee. It is essential that there should be separate Regulations for different kinds of Municipalities. We therefore suggest that the consideration of the present Bill and the report be postponed pending introduction of separate Bills for City, Town and Minor Municipalities.

C. NARASIMHAIYA.
E. K. GARUDACHAR.

OFFICIAL MEMORANDUM.

No. 3426, *dated Bangalore, 4th January* 1926.

The Report of the Select Committee appointed to consider the Mysore Village Panchayet Bill which was printed in the *Mysore Gazette*, dated the 17th December 1925, is reprinted below. Some mistakes which were observed have been corrected here and the changes proposed by the Select Committee are clearly exhibited.

By Order,
R. RANGA RAO,
Secretary, Legislative Council.

REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER THE MYSORE VILLAGE PANCHAYET BILL.

We, the members of the Select Committee appointed to consider the Village Panchayet Bill, met and considered the Bill at 4 sittings. The clauses in the Bill which in our opinion require changes, the amendments proposed by us and the reasons therefor are noted below. We recommend that the Bill as amended by us may be passed by the Council.

(Sd) M. RAMACHANDRA RAO.
,, B. NAGAPPA.
,, C. S. BALASUNDARAM IYER.
,, S. HIBIANNAIYA.
,, D. H. CHANDRASEKHARAIYA.
,, K. P. PUTTANNA CHETTY.
,, H. CHENNAIYA.
,, MAHOMED ABBAS KHAN.
,, K. MATTHAN.
,, K. CHANDY (*Chairman*).
,, B. NARASINGA RAO.*

*Mr. B. Narasinga Rao who was not present at the final meeting of the Select Committee at which the Report was signed by the members has subsequently signed the Report subject to certain observations which are printed at the end of the Report.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
Whereas it is expedient to make better provision for the administration of [village affairs by the villagers themselves and thereby develop the system of Self-Government in the rural areas of the State] ; It is hereby enacted as follows :—	Whereas it is expedient to make better provision for the administration of [**local affairs** of villages by the **inhabitants** thereof] ; It is hereby enacted as follows :— Preamble.	The words "village affairs" and "villagers" are replaced by "local affairs of villages" and "inhabitants," as more appropriate. The words omitted are redundant.
1. (1) This Regulation may be called the Mysore Village Panchayet Regulation, [1925.]	1. (1) This Regulation may be called the Mysore Village Panchayet Regulation. Short title.	The year will be entered when the Bill is passed.
(2) * * * *	(2) * * * *	
(3)	(3) * * * *	
	[Provided that it shall be lawful, at any time after the passing of this Regulation, to **hold elections** in any district or part of a district for the purpose of this Regulation, in accordance with the rules framed thereunder, but such elections **shall not take effect till the commencement of this Regulation** in that district or part of the district.]	This is to provide for elections before the Regulation is introduced in any area, so that a Panchayet may be established as soon as the Regulation is brought into force in the area. Otherwise there will be an interregnum.
2. On and from the date on which this Regulation comes into force in any district or part of a district,	2. [(1)] On and from the date on which this Regulation comes into force in any district or part of a district, the whole of the Mysore Village Sanitation Regulation, 1898, and the Mysore Local Boards and Village Panchayets Regulation, 1918, so far as it relates to Village Panchayets, shall be repealed in such district or part of a district: Repeal.	Sub-clause (*b*) is really a proviso to sub-clause (*a*) and sub-clause (*c*) is an independent part of the clause. The clause is accordingly recast.
[(*a*)] the whole of the Mysore Village Sanitation Regulation, 1898, and the Mysore Local Boards and Village Panchayets Regulation, 1918, so far as it relates to Village Panchayets, shall be repealed in such district or part of a district;		
[(*b*) but] all rules made, proceedings taken, orders passed, officers appointed, powers conferred and rights created under any of the enactments so repealed, shall be deemed to have been made, taken, passed, appointed, conferred or created under this Regulation; [and all sums due on account of any tax, cess, fine or fee imposed by the enactments repealed shall, unless remitted in whole or in part by the Deputy Commissioner, be **realised** under the provisions of this Regulation];	[Provided that] all rules made, proceedings taken, orders passed, officers appointed, powers conferred and rights created under any of the enactments so repealed, shall be deemed to have been made, taken, passed, appointed, conferred or created under this Regulation.	The portion relating to recovery of dues in (*b*) should logically come after and form part of sub-clause (*c*)? This is also effected in the clause as recast.
[(*c*)] when in consequence of the repeal of the enactments referred to in sub-section [(*a*)] any Panchayet ceases to exist, the assets and liabilities of such Panchayet shall devolve on such Panchayet or Panchayets as the Government may determine.	[(2)] When in consequence of the repeal of the enactments referred to in sub-section [(1)] any Panchayet ceases to exist, the assets and liabilities of such Panchayet shall devolve on such Panchayet or Panchayets as the Government may determine; [and all sums due on account of any tax, cess, fine or fee imposed by the enactments repealed shall, unless remitted in whole or in part by the Deputy Commissioner, be **recovered** under the provisions of this Regulation.]	'Recovered' is substituted for 'realised,' as being more correct.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
3. In this Regulation, unless there is something repugnant in the subject or context,	3. In this Regulation, unless there is something repugnant in the subject or context, Interpretation.	The definitions are arranged in alphabetical order. Two more definitions are added and the definition of 'village' is added to so as to include a 'dakle' village. The portion relating to a Sanitary Board and the Jahgirs in the definition of 'village' is left out as the K. G. F. Sanitary Board has no objection to the Regulation being applied to villages under its control and Government have power under sub-clause (3) of clause 1 to apply the Regulation to only such portion of a district as they deem fit.
[(1)] "building" includes a house, shop, warehouse, workshop, hut and shed;	[(1)] "Amildar" includes a Deputy Amildar.	
[(2)] "village forest" means a forest constituted as such under the Mysore Forest Regulation;	[(2)] "building" includes a house, shop, warehouse, work-shop, hut and shed;	
[(3)] "Panchayet" means the body of persons constituted under this Regulation for carrying out all or any of the purposes of this Regulation;	[(3)] "District" means any local area which, for the purposes of the collection of land revenue, shall have been placed for the time being, under the charge of a Deputy Commissioner of a District;	
[(4)] "Panchayetdar" means a member of a Panchayet;	[(4)] "District Board" means any Board constituted under the provisions of the Mysore District Boards Regulation;	
[(5)] "Prescribed" means prescribed by the rules made under this Regulation;	[(5) "**hamlet**" means a village, the Village Panchayet of which consists of all the voters of the village as provided in Section 5 A];	
[(6)] "Village" means a local area recognised by Government from time to time as a village for purposes of collecting the land revenue and includes an alienated village, but [shall] not include a local area constituted into a Municipality [or placed under the **control of a Sanitary Board** constituted under the Mysore Mines Regulation, 1906, or the **Jahgirs of Yelandur and Sringeri**];	[(6)] "Panchayet" means the body of persons constituted under this Regulation for carrying out all or any of the purposes of this Regulation;	
[(7)] "District" means any local area which, for the purposes of the collection of land revenue, shall have been placed for the time being, under the charge of a Deputy Commissioner of a District;	[(7)] "Panchayetdar" means a member of a Panchayet;	
[(8)] "District Board" means any Board constituted under the provisions of the Mysore District Boards Regulation, [1925];	[(8)] "prescribed," means prescribed by rules made under this Regulation;	
[(9)] "Amildar" includes a Deputy Amildar.	[(9) "**Taluk**" includes a **sub-taluk**];	
	[(10)] "village" means a local area recognised by Government from time to time as a village for purposes of collecting the land revenue and includes [**a dakle village** and] an alienated village, but [does] not include a local area constituted into a Municipality;	
	[(11)] "Village Forest" means a forest constituted as such under the Mysore Forest Regulation.	
4. (1) In any district or part of a district to which this Regulation has been applied, the Deputy Commissioner shall, subject to such rules or orders as may be made by Government in this behalf, establish a Panchayet for every village or group of [**adjacent**] villages, and shall have power, by a notification in the Official Gazette, to vary as occasion may demand, the grouping of villages.	4. (1) In any district or part of a district to which this Regulation has been applied, the Deputy Commissioner shall, subject to such rules or orders as may be made by Government in this behalf, establish a Panchayet for every village or group of [**adjoining**] villages, and shall have power, by a notification in the Official Gazette, to vary as occasion may demand, the grouping of villages. Establishment and incorporation of Panchayets	"Adjacent" is re-placed by "adjoining" as the correct word.

Government in this behalf, it shall also have power to acquire, hold or transfer property, movable or immovable, to enter into contracts and to do all things necessary for all or any of the purposes of this Regulation.	said name sue and be sued. Subject to any rules made by Government in this behalf, it shall also have power to acquire, hold or transfer property, movable or immovable, [whether within or without the limits of the area over which it has authority,] to enter into contracts and to do all things necessary for all or any of the purposes of this Regulation.	to the rules framed by the Government. The clause is re-cast accordingly. This is in accordance with the corresponding provision in the District Boards Bill.
5. (1) A Panchayet shall consist of such number of members not less than [5 nor] more than 12 as [the Government may fix] in this behalf	5. (1) A Panchayet shall consist of such number of members not less than [7 and not] more than 12 as [may be fixed by the Deputy Commissioner subject to the rules framed by the Government] in this behalf. Strength of the Panchayets and the election or nomination of members.	Fixing of the strength of a Panchayet or Panchayets need not come up to Government. The Deputy Commissioner may fix the strength subject to rules framed by Government. The minimum number for a Panchayet is raised to 7, as otherwise, the quorum which is fixed at 5 in clause 17 will be equal to the total strength.
[(2) Where a Panchayet is constituted for more than one village, the Deputy Commissioner shall determine the number of members to represent each such village.]	[(2)] The members of [a] Panchayet [shall be residents of the village or group of villages for which the Panchayet is established and may, as the Government may direct;] be—	Sub-Clause (3) should precede sub-clause (2) as it defines the constitution. Residence in the village or group of villages is prescribed as a necessary qualification for members. The words "as the Government may direct" ought to govern both paras (i) and (ii) and are inserted at the beginning of the sub-clause.
[(3)] The members of [the] Panchayet [may] be,		
(i) either wholly elected by the residents of the village; or	(i) either wholly elected by the residents of the village [or villages]; or	
(ii) partly elected and partly nominated [as the Government may direct by a notification in this behalf.]	(ii) partly elected and partly nominated.	
* * *	* * * *	
	[(3) Where a Panchayet is constituted for more than one village, the Deputy Commissioner shall determine the number of **elected** members to represent each such village.]	It is the elected element in each village that has to be determined by the Deputy Commissioner in order that every constituent village may have representation. Nominations are intended chiefly to safeguard the interests of minorities not adequately represented by election.
(4) * * * *	(4) * * * *	
(5) Any vacancies due either to want of [qualified] candidates or to failure to elect the [full] number of members which under this section might be elected, may, notwithsfanding anything contained in this Regulation, be filled up by nomination by the Deputy Commissioner, and any person so nominated shall be deemed to be a [duly elected] member.	(5) Any vacancies due either to want of candidates or to failure to elect the [required] number of members which under this section might be elected, may, notwithstanding anything contained in this Regulation, be filled up by nomination by the Deputy Commissioner, and any person so nominated shall be deemed to be a member [as if he had been duly elected.]	The word "qualified" is unnecessary and "required" is a more appropriate word than "full." A nominated member cannot be an elected member, but can only be treated as an elected member in regard to rights and privileges, etc. Hence the change.

Report of the Select Committee appointed to consider the Mysore Village Panchayet Bill—*contd.*

Clauses in the Bill	Clauses as amended by the Select Committee		Reasons for the change
Nil.	[5A. If two-thirds of the number of voters in a village included within the limits of any Village Panchayet having jurisdiction over more than one Village, elect to be included within the limits of any other Village Panchayet, such village may, with the consent of the latter Village Panchayet, be so included and **after a period of not less than five years** may similarly be included in another Village Panchayet.	Conditions under which a village under a Panchayet may be included under another Panchayet, etc.	As Village Panchayets are to have perpetual succession, it is necessary to provide for changes that may be necessary in the course of time. Provision is made to allow the inhabitants of a village, the choice to get out of the jurisdiction of a Panchayet and be included in that of another. This may become necessary for various causes. Provision is also made to allow the inhabitants of a village to separate themselves and manage their own affairs. In the Malnad particularly, this may be a necessity. A hamlet that has separated should also have power to rejoin a Village Panchayet with the consent of the latter after the expiry of 5 years. The changes are made in order to give effect to the wishes of the villagers from time to time and not too frequently.
	(2) If two-thirds of the number of voters in any village included within the limits of any Village Panchayet elect to have their village constituted into **a hamlet**, it may be so constituted and thereafter, **all the voters** in the said village shall perform for the village all the duties and **shall have all the powers of a Village Panchayet** under this Regulation.	Hamlet.	
	(3) It shall be open to a hamlet by a vote of two-thirds of its voters to become a constituent village of any Village Panchayet with the consent of such Panchayet, provided that a period of five years has elapsed after it elected to become a hamlet.]		
6. [Every person who— (*a*) has completed 21 years of age; (*b*) is a resident of the village or villages for which a Panchayet is to be established; (*c*) was, during the year immediately preceding the election of the members of the Panchayet, assessed to a tax of half a rupee or more on account of land revenue, house tax, shop tax or tax on vacant sites and hittals within the village; and (*d*) is not subject to any of the disqualifications mentioned in Section 7; shall be entitled to vote at an election of members of the Panchayet. Provided that in the case of a joint family or a partnership paying half a rupee or more on account of any such tax, the manager of the family, or any member of the family or	6. [Every person who is a **resident** of a village and has completed **twenty-one years** of age, shall be entitled to vote at an election of members of the Panchayet of that village, unless disqualified.]	Qualifications of voters.	As in Bombay and Madras, every adult may be given the right to vote so long as he is a resident of the village. Twenty-one years is taken as the age of an adult rather than 25 which is adopted in Madras and Bombay. Women will also be allowed to vote. The right to vote can be exercised only when the person is not otherwise disqualified.

No person may vote,

(*a*)

(*b*)

(*c*) who is [**sentenced**] by a Criminal Court [**to transportation or imprisonmet** for a period of more than **one month,**] such [sentence] not having been reversed or the offence pardoned; or,

(*d*) who [applies to be adjudicated or] is adjudicated [a bankrupt or] insolvent; or

(*e*)

10. Subject to such rules as may be made by Government in this behalf, every Panchayet [**shall**] appoint a Secretary from among its members.

7. No person may vote— Disqualifications of voters.

(*a*)

(*b*)

(*c*) who is [**convicted**] by a Criminal Court [**of an offence punishable with imprisonment** for a term exceeding **six months,**] such [conviction] not having been [subsequently] reversed or the offence pardoned; or

(*d*) who is adjudicated [an] insolvent; or

(*e*)

[Provided that the disqualification—

(1) under clause (*b*) will cease to operate after the expiry of three years from the date of such removal;

(2) under clause (*c*) will, in the case of a person sentenced to a **fine** only or to **imprisonment** for a term **not exceeding three months,** cease to operate after **one year** after the expiry of the sentence, and in all **other cases**, after **three years** after the expiry of the sentence;

(3) under clause (*e*) will cease to operate after expiry of the **period** during which the person is ordered to furnish **security.**]

10. Subject to such rules as may be made by [the] Government in this behalf, every Panchayet [**may**] appoint a Secretary from among its members [who shall perform such duties as may be prescribed.] Secretary to Panchayet.

The Committee consider that in prescribing the period of disqualification both the nature of the offence and the actual punishment awarded should be taken into consideration and the period of disqualification for persons who suffer imprisonment for more than three months is therefore made longer than that for those who are sentenced only to a fine or imprisonment for not more than three months. In the District Boards Bill, the Select Committee propose to give Government the power to exempt at an earlier period than three years; but as the number of cases likely to require exemption under a system of adult suffrage under the Village Panchayet Regulation might be very large, a general rule is considered preferable to one involving reference to Government in each case.

Only an adjudged insolvent should be disqualified and not one who merely applies for insolvency.

158

349

The period during which security is ordered to be furnished should be the period of disqualification in this case.

Appointment of a Secretary should be optional and his duties should be fixed.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
11. Except as is otherwise provided in this Regulation [or in any other law for the time being in force,] members of Panchayets shall hold office for a term of three years, [extensible] by order of the Deputy Commissioner to a term not exceeding in the aggregate four years, if on any occasion, the Deputy Commissioner [shall think] fit, for reasons which shall be notified, together with the order in the official Gazette, so to extend the same. The term of office of a Chairman shall be co-terminous with or be the residue of his term of office as a Panchayetdar.	11. Except as is otherwise provided in this Regulation members of Panchayets shall hold office for a term of three years [which may be extended] by order of the Deputy Commissioner to a term not exceeding in the aggregate four years, if on any occasion, the Deputy Commissioner [thinks] fit, for reasons which shall be notified, together with the order in the official Gazette, so to extend the same. The term of office of a Chairman shall be co-terminous with or be the residue of his term of office as a Panchayetdar.	Term of office of Panchayetdar or Chairman. The words " or in any other law for the time being in force " are unnecessary and are therefore omitted. " thinks fit " is substituted for " shall think fit " as more appropriate.
13. The Deputy Commissioner may, on the recommendation of a Panchayet, remove any member, elected or appointed under this Regulation, after giving him an opportunity for being heard and after such enquiry as he deems necessary, if such member has been guilty of misconduct in the discharge of his duties, or of any disgraceful conduct, or refuses to act or becomes incapable of acting	13. The Deputy Commissioner may, on the recommendation of a Panchayet, remove any member, elected or appointed under this Regulation, after giving him an opportunity of being heard and after such enquiry as he deems necessary, if such member has been guilty of misconduct in the discharge of his duties, or of any disgraceful conduct, or refuses to act or becomes incapable of acting. [The **order** of the Deputy Commissioner shall be **final**.]	Removal of members. As the removal is on the recommendation of a Panchayet and the member has opportunity of being heard, the decision of the Deputy Commissioner should be final.
14. The Deputy Commissioner [**shall**] remove a Chairman from his office for misconduct, or neglect of, or incapacity to perform, his duty. [Against the order of the Deputy Commissioner in this matter an appeal shall lie to Government.]	14. The Deputy Commissioner [**may**] remove a Chairman from his office for misconduct, or neglect of, or incapacity to perform, his duty [or for any **disgraceful conduct**, after giving him an **opportunity of being heard** and after such **enquiry** as the Deputy Commissioner deems necessary. An appeal shall lie to Government from the order of the Deputy Commissioner.]	Removal of Chairman. Power to remove a Chairman should be discretionary and not obligatory. The Chairman should be given an opportunity to state his case and if necessary an enquiry should be held. The Chairman should be liable to be removed for disgraceful conduct also. The clause is re-cast accordingly.
16. When the office of a Chairman or Panchayetdar becomes vacant by his removal, disqualification, resignation or death, a new Chairman or Panchayetdar shall be appointed, elected or nominated as the case may be, in accordance with the foregoing provisions, and such Chairman or Panchayetdar shall hold office so long as the Chairman or Panchayetdar whose place he fills would have been entitled to hold office if such vacancy had not occurred. The Secretary shall be in charge of the office of the Chairman during a casual vacancy, pending the appointment or election of a new Chairman.	16. When the office of a Chairman or Panchayetdar becomes vacant by his removal, disqualification, resignation or death, a new Chairman or Panchayetdar shall be appointed, elected or nominated as the case may be, in accordance with the foregoing provisions, and such Chairman or Panchayetdar shall hold office so long as the Chairman or Panchayetdar whose place he fills would have been entitled to hold office if such vacancy had not occurred. The Secretary, [if any, or any member selected by the Panchayet, in cases where no Secretary to the Panchayet is appointed,] shall be in charge of the office of the Chairman during a casual vacancy [and] pending the appointment or election of a new Chairman.	Filling of casual vacancies. The addition made is necessary as the appointment of a Secretary is only optional. *Vide* change proposed in clause 10.
17. (1) A Panchayet shall [meet for] the transaction of	17. (1) A Panchayet shall [in] the transaction of business	Business how transacted. General rules prescribing the time and place of the meetings are sufficient

Nil		
[(2)] * * *		
[(3)] * * *		
19. It shall be the duty of a Panchayet, within the limits of the fund at its disposal, to make adequate provision for carrying out the requirements of the area under its control in regard to the following matters :—		
(i) construction, repair and maintenance of village roads including cart-tracks, culverts and bridges ;		
* * * *		
[(iv) Extension of **village sites** and] regulation of buildings ;		
* * * *		
Nil		
20. Subject to such rules as may be prescribed in this behalf, the Panchayet may, within the limits of the fund at its disposal, make provision for carrying out the requirements of the area under its control in respect of any or all of the following matters :—		
[(i) **Supply of water** for domestic use ;] ...		
[(ii) Enforcement of **vaccination** ;]		
[(iii)] * * * *		
[(iv)] * * * *		
[(v)] * * * *		
Nil		
[(vi)] Excavation and maintenance of ponds for animals ;		
* * * *		
[(ix) Taking measures for the economic improvement of the area in matters] of education, agriculture, rural industries and trade ; and		
* * * *		

that in the case of a hamlet, it shall be a **bare majority of the voters in the hamlet.**]		
[(3) Except as otherwise provided, all **questions** before a Panchayet shall be **decided by a majority** of the **votes of the members present and voting.**]	Questions to be generally decided by majority of votes.	
[(4)] * * *		
[(5)] * * *		
19. It shall be the duty of a Panchayet, within the limits of the fund at its disposal, to make adequate provision for carrying out the requirements of the area under its control in regard to the following matters :—	Obligatory duties.	
(i) construction, repair and maintenance of village roads including cart-tracks, culverts and bridges, [but **not** including those **under** the **control of any other local body or of Government** ;]		
* * * *		
(iv) Regulation of buildings ;		
* * *		
(xii) [**Supply of water** for domestic use ;]		
20. Subject to such rules as may be prescribed in this behalf, the Panchayet may, within the limits of the fund at its disposal, make provision for carrying out the requirements of the area under its control in respect of any or all of the following matters :—	Discretionary duties.	
Omitted		
Omitted		
[(i)] * * *		
[(ii)] * * *		
[(iii)] * * *		
[(iv) Extension of **village sites** ;]		
[(v)] Excavation and maintenance of ponds [for the supply of water to] animals ;		
* * *		
[(viii) Development] of education, agriculture, [**co-operation,**] rural industries and trade ; and		
* * *		

meetings. Hence the addition of two more sub-clauses after sub-clause (1).	
The roads and bridges which a Panchayet should be in charge of are defined.	
" Extension of village sites " is brought under the optional duties of Panchayets.	
This item is brought under the obligatory duties of Panchayets.	
Vide clause 19. Brought under obligatory duties.	
This is the duty of the District Board and hence omitted.	
Vide clause 19. Treated as optional duty.	
The addition calls for no remark.	
'Development' is an appropriate word. There can be no *economic* improvement of education and like matters and hence the change ; Co-operation is also included.	

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
21. The Government may, subject to such limitations and conditions as may be imposed in this behalf, transfer to any Panchayet, the management, protection and maintenance of village forests, whether reserved for fuel and fodder or for other purposes.	21. The Government may, subject to such limitations and conditions as may be imposed in this behalf, transfer to any Panchayet, [the management and control of **grazing** in **hulbanni** and **gomal lands** and] the management, protection and maintenance of Village Forests, whether reserved for fuel and fodder or for other purposes.	Transfer of grazing and Forests to Panchayets. — Power is taken to transfer control over grazing in hulbanni and gomal lands, if found desirable.
22. The Government may, subject to such limitations and conditions as may be imposed in this behalf, empower any Panchayet to exercise all the powers and discharge all the functions [that] a Panchayet constituted under the Tank Panchayet Regulation, 1911, [may exercise and discharge.]	22. The Government may, subject to such limitations and conditions as may be imposed in this behalf, empower any Panchayet to exercise all the powers and discharge all the functions [of] a Panchayet constituted under the Tank Panchayet Regulation, 1911, **[notwithstanding anything contained in Section 3 of that Regulation.]**	Vesting Panchayets with functions under the Tank Panchayet Regulation. — A Tank Panchayet is constituted in a special manner under Section 3 of the Tank Panchayet Regulation. The powers and functions of a Tank Panchayet may be delegated to a Village Panchayet notwithstanding the provisions of the said section.
23. Subject to [the approval of] the Government any District Board, the Deputy Commissioner or any private person or body of persons may, with the consent of a Panchayet, [make over to it,] subject to such conditions as may be agreed upon, the management of any institution or the execution or maintenance of any work or the performance of any duty within the area over which [a Panchayet] has got control.	23. Subject to [such rules as may be prescribed by] the Government, any District Board, the Deputy Commissioner or any private person or body of persons may, with the consent of a Panchayet [and] subject to such conditions as may be agreed upon, [make over to it] the management of any institution or the execution or maintenance of any work or the performance of any duty within the area over which [it] has got control.	Institutions or works may be transferred to Panchayet. — This is to avoid each case coming up to Government for approval. General rules may be framed by Government leaving the terms, etc., to the bodies concerned.
24. The Government may entrust the management of minor muzrai institutions and supervision over village schools in the area under the control of any Panchayet to such Panchayet [subject to such rules or orders as may be passed from time to time.]	24. The Government may, [by a general or special order,] entrust the management of minor Muzrai institutions and supervision over village schools in the area under the control of any Panchayet to such Panchayet [and prescribe such rules as may be necessary for their management and supervision.]	Panchayet to exercise powers of school committees and manage Minor Muzrai Institutions. — No rules are needed for the transfer of the management of muzrai institutions or supervision over schools. The transfer may be effected by an order of Government. Rules may be necessary as regards the directions to be observed during management or supervision. The clause is modified accordingly.
26. A panchayet shall have power to do all acts necessary for and incidental to the carrying out of the functions entrusted or delegated to it, and in particular and without prejudice to the foregoing power, to exercise the powers specified in Sections 27, 28, 29, 30, 31 and 32.	26. A Panchayet shall have power to do all acts necessary for and incidental to the carrying out of the functions entrusted or delegated to it, and in particular and without prejudice to the foregoing power, to exercise the powers specified in Sections 27, 28, 29, 30, 31 and 32. [Provided that the **Panchayet may appoint committees** to perform any of these functions.]	General power. — It is desirable to provide for the appointment of Committees to perform certain functions. The whole Panchayet may not find it convenient to meet for the consideration or carrying out of each question or work.
27. The Panchayet * * * and may.—	27. The Panchayet * * * * and may.—	A fresh sub-clause *re* widening, enlarging, etc., of roads and bridges is added. Such a provision exists in the Madras Act.
(*a*) lay out and make new roads;	(*a*) lay out and make new roads;	
(*b*) construct new bridges;	(*b*) construct new bridges;	
[(*c*)] divert, discontinue or close any road or brid-	(*c*) [widen, open, enlarge, or otherwise improve any road or	

28. (1) Subject to such rules as may be prescribed [by the Government in this behalf,] no person shall erect any building or alter or add to any existing building or reconstruct any building without the written permission of the Panchayet. [Provided that permission] shall be presumed to have been granted if its refusal is not communicated within a month of the receipt of the application.	28. (1) Subject to such rules as may be prescribed, no person shall erect any building or alter or add to any existing building or reconstruct any building without the written permission of the Panchayet. [Such **permission** shall not be **refused** except for the reason of the **site being unsuited on sanitary grounds** and it] shall be presumed to have been granted if its refusal is not communicated within a month of the receipt of the application.	Control of the erection of buildings.
30. (1) If it appears necessary to improve the sanitary condition of any area within its jurisdiction:— [(*a*) the Panchayet shall have power to (i) construct, alter or remove public drains; (ii) establish burning ghats and burial grounds; and, (iii) effect such other improvements as are necessary to improve the sanitary condition of the area.] [(*b*) The] Panchayet may by a written notice, require within a reasonable period to be specified therein.— (i) * * * * (ii) * * * * (iii) * * * * (iv) * * * * (v) * * * *	30. (1) If it appears necessary to improve the sanitary condition of any area within its jurisdiction, [a] Panchayet may, by a written notice, require within a reasonable period to be specified therein— (i) * * * * (ii) * * * * (iii) * * * * (iv) * * * * (v) * * * *	Power as to sanitation, conservancy and drainage.
(2) If any work required by a notice under [clause (b) of] sub-section (1) is not executed within the period specified in the notice, the Panchayet may itself cause such work to be carried out, and may recover the cost of such work or part thereof from the owner or occupier referred to in [clause (b) of] sub-section (1) as if it were a tax imposed under Section [36.]	(2) If any work required by a notice under sub-section (1) is not executed within the period specified in the notice, the Panchayet may itself cause such work to be carried out, and may recover the cost of such work or part thereof from the owner or occupier referred to in sub-section (1) as if it were a tax imposed under Section [35.]	
31. (3) The Panchayet may, by order published at such places as it may think fit, prohibit all bathing, washing of clothes and animals, or other acts calculated to pollute the water of any tank, well, stream, or water course set apart for drinking or culinary purposes under sub-section (2).	31. (3) The Panchayet may, by order published at such places as it may think fit, **prohibit**, [(*a*)] all bathing, washing of clothes and animals, or other acts calculated to pollute the water of any tank, well, stream or water course set apart for drinking or culinary purposes under sub-section (2); [and] [(*b*) **during epidemics**, the **use** of any **source of water supply for drinking or culinary purpose** or for the **washing of clothes.**]	
33. Subject to such rules as may be framed by the Government in this behalf, every Panchayet shall employ such officers and servants [as may appear necessary to the Government] and shall assign to them such pay, allowances, gratuities, pensions and contributions as [the Government may direct.]	33. Subject to such rules as may be framed by the Government in this behalf, every Panchayet shall employ such officers and servants and shall assign to them such pay, allowances, gratuities, pensions and contributions as [may be necessary.]	Officers and servants.

'Prescribed' is defined in the Regulation. Hence the words omitted are redundant. There is no indication as to when and on what grounds permission to build can be refused. It is made clear that permission can be refused only if the site is unsuited for building on sanitary grounds.

The whole para (a) of sub-clause (1) is omitted. Clause 26, in conjunction with clause 19 provides for these matters.

62

Consequential changes. "Section 36" is not the correct section. It ought to be "Section 35."

34

The existing sub-clause only provides against pollution of water. It is necessary to provide for cases where there may not be pollution, but there may be fear of infection or of spread of infection. Sub-clause (*b*) is therefore added.

As appointments are subject to rules framed by Government, reference to Government in the latter portions of the clause is omitted.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
34. (1) All sums realised as taxes, fees, cesses, fines or costs under this Regulation, all fines and surplus proceeds of sale of cattle under the Cattle Trespass Act, 1871, as amended by Regulation VIII of 1892, all sums of revenue assigned to the Pancheyets by any general or special order of Government and all other receipts of the Panchayets including any donations from a private person or body of persons, and any contribution from a District Board or the Government shall be paid into a fund to be called the "Panchayet Fund", [the accounts of which shall be kept in the manner prescribed.]	34. (1) All sums realised as taxes, fees, cesses, fines or costs under this Regulation, all fines and surplus proceeds of sale of cattle under the Cattle Trespass Act, 1871, as amended by Regulation VIII of 1892, all sums of revenue assigned to the Panchayets by any general or special order of Government and all other receipts of the Panchayets including any donations from a private person or body of persons, and any contribution from a District Board or the Government shall be paid into a fund to be called the "Panchayet Fund." Panchayet fund and its application and investment.	The last 11 words are omitted and provision for maintaining accounts is made in clause 40 which is the proper clause.
Nil.	[(2) The Government may, by general or special order, **assign any specified revenue or make any grant** to the Panchayet fund.]	A new sub-clause is added as the Committee consider it desirable to have a provision for the assignment of revenue or the making of grants by Government.
[(2)] The Panchayet Fund shall be administered * *	[(3)] The Panchayet Fund shall be administered * *	
[(3)] The Panchayet Fund shall be [invested] in the Government Savings Bank or [with the approval of the Deputy Commissioner] in a Co-operative Society. A Panchayet may, from time to time, with the approval of the Deputy Commissioner invest any portion of its surplus funds in Government securities or other securities approved by the Government.	[(4)] The Panchayet Fund shall be **[lodged]** in the Government Savings Bank or in a **Co-operative Society [or Bank approved by the Deputy Commissioner,** or in such manner as may be prescribed.] A Panchayet may, from time to time, with the approval of the Deputy Commissioner, invest any portion of its surplus funds in Government securities or other securities approved by the Government.	"Invested" would mean that the money may not be withdrawn whenever necessary. So it is proposed to be replaced by "lodged". The Panchayets may also be empowered to deposit money in any Bank approved by the Deputy Commissioner or in any other prescribed manner. The clause is recast accordingly.
35. [In every village,] a tax on houses, shops, vacant sites [and] hittals [shall be levied, subject to such rules and not exceeding such rates as shall be prescribed.] [Provided that] it shall be competent to the Panchayet to make provision for exemptions in favour of individuals or class of individuals [with the previous sanction of the Government.]	35. [(1) Every Panchayet shall levy, in the manner prescribed,] a tax on [all] houses, shops **[or places of trade or business,]** vacant sites, hittals [and **carts** in the village or villages within its jurisdiction.] Obligatory taxes.	Shops do not include places where any profession or similar business is carried on. Tax on carts is one of the items of Mohatarfa now collected and its omission perhaps is accidental. The clause is recast to include all the items.
	[(2) The rates of such taxes shall not exceed the maxima that may be prescribed.]	Calls for no remarks as there is no change in the sense.
	[(3)] It shall be competent to the Panchayet to make provision for exemptions in favour of individuals or [a] class of individuals, [subject to such rules as may be prescribed in this behalf.]	It is not necessary that each individual case for exemption should come up to Government. Exemptions may be made subject to the rules prescribed.
36.	36. [(1)] * *	

tuting the Panchayet. Provided also that the Panchayet may, with the consent of the person from whom such tax, cess rate or fee is leviable, commute the payment [of such cess] into a contribution of labour not exceeding 18 days' labour in a year at such intervals, for such period of time and under such conditions as may be prescribed in this behalf.

Nil

37. [No objection shall be taken to any assessment nor shall the liability of any person to be assessed be questioned otherwise than] in accordance with the rules made under this Regulation.

38. (1) * * * *

[(2) The procedure to be followed prior to and during distraint and sale, the properties to be exempted from distraint and the disposal of surplus proceeds, etc., shall be in accordance with the rules framed in this behalf.]

[(3) If the Panchayet neglects to recover or cannot recover the taxes or other dues under sub-section (1), the Amildar shall recover the same by distraint and sale and shall for this purpose have all the powers that may be exercised by a Chairman under sub-section (1).]

Panchayet. Provided also that the Panchayet may, with the consent of the person from whom such tax, cess, rate or fee is leviable, commute the payment into a contribution of labour not exceeding 18 days' labour in a year at such intervals, for such period of time and under such conditions as may be prescribed in this behalf.

[(2) Any such tax, cess, rate or fee may be cancelled with the previous sanction of the Government.]

[36. A. (1) If at any time, in the opinion of the Deputy Commissioner, the regular income of the Panchayet falls below what is necessary for the proper discharge of duties specified in Section 19, the **Deputy Commissioner** may call upon the **Panchayet** to take such steps **within six months to increase its income** as may be considered necessary. If the Panchayet fails to take adequate steps to increase its income to such an amount, the Deputy Commissioner may require it to **increase the rate of taxes** imposed under Section 35.

Increase of income.

Provided that in no circumstances shall the Deputy Commissioner have power to require the rates of taxes to be increased beyond the maxima prescribed.]

(2) [An **appeal** shall lie to **Government** from an order of the Deputy Commissioner under this section.]

37. [Objections to any assessment and the liability of any person to be assessed under this Regulation shall be preferred and decided] in accordance with the rules made under this Regulation.

Objection in respect of liability to assessment.

38. (1) * * *

[(2) If the Panchayet neglects to recover or cannot recover the taxes or other dues under sub-section (1), the Amildar may recover the same by distraint and sale and shall for this purpose have all the powers that may be exercised by a Chairman under sub-section (1).]

[(3) The procedure to be followed prior to and during distraint and sale, the properties to be exempted from distraint and the disposal of surplus proceeds, etc., shall be in accordance with the rules framed in this behalf.]

labour is to be permitted in ... all taxes, rates and fees leviable under this clause.

Provision for cancellation of a tax, etc., is necessary.

Panchayets have got certain obligatory duties to perform under clause ... They have discretion, subject to ... maximum be prescribed by Government. ... fix whatever rate they choose. They may fix a very low rate and plead that ... have no funds to perform the functions obligatory. To avoid an attempt in this direction, a ... is added. Such additional new cess should be imposed only under taxation ... the orders of the Deputy Commissioner of the District, and an appeal may lie to Government. This gives the Village Panchayet the maximum of autonomy consistent with the safety of the people.

The clause is recast, so as to put the idea in the positive form.

The order of sub-clauses (2) and (3) is reversed as being more logical.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
(4) If the taxes or other dues cannot be recovered under sub-sections (1) and [(3), the Deputy Commissioner of any District or any officer authorised by a Deputy Commissioner in this behalf, may recover the same as an arrear of land revenue, on receipt of a statement of account **certified by a Chairman or an Amildar** and after holding such enquiry, if any, as he thinks fit.]	(4) If the taxes or other dues cannot be recovered under sub-sections (1) and [(2), a statement of account shall be prepared by the Amildar and such statement when **certified by the Deputy Commissioner,** shall be **conclusive evidence** of the existence of the arrear, of the amount due as arrear, and of the person who is the defaulter. On receipt of such certified statement, it shall be lawful for the Deputy Commissioner of any District to recover the dues as an arrear of land revenue, as if the demand arose in his own district.]	As dues arising in one district may have to be recovered in another district, the dues should be certified by the Deputy Commissioner as in the Land Revenue Code.
(5) * * *	(5) * * *	
	[(6) No proceedings shall be taken under sub-section (4) and no suit shall be instituted under sub-section (5) more than **3 years** after the amount became due.]	A period of three years is fixed for the institution of a suit for the recovery of dues or for their recovery as an arrear of land revenue.
39. (1) [Every Panchayet shall **submit** annually to the Amildar having jurisdiction on or before such date as may be prescribed, a budget of estimated receipts and expenditure for the coming official year and a report of its proceedings.]	39. (1) [Subject to such rules as may be prescribed, every Panchayet shall prepare a budget of estimated receipts and expenditure for the next official year and **forward** it to the Amildar having jurisdiction.]	Annual budget of Panchayets. Verbal changes calling for no remarks. Submission of a report of the proceedings of Panchayets need not be provided for by Regulation.
(2) * * * *	(2) * * *	
(3) No expenditure which is not provided for in the [estimate as approved] by the Amildar shall be incurred [during the year to which the estimate relates] without the previous **sanction of the [Deputy Commissioner.]**	(3) No expenditure which is not provided for in the [budget as passed] by the Amildar shall be incurred without the previous **sanction of the [Amildar.]**	Verbal changes. "Passed" is the word used in the previous sub-clause; and it applies to cases in which the budgets are passed by the Amildar within a month.
40. Accounts of all the receipts and expenditure of every Panchayet shall be made up to the last day of] every official year in such form as the Government [from time to time] prescribe and shall be examined and audited by such officer as may be appointed by the Government in this behalf.	40. Accounts [shall be **maintained** for] every official year in such form as the Government [may prescribe] and shall be examined and audited by such officer as may be appointed by the Government in this behalf.	Annual accounts. A new clause 34 - Provision for the maintenance of accounts is added.
41. The Deputy Commissioner shall be chief controlling authority in respect of all matters relating to the administration of Panchayets in the district.	41. The Deputy Commissioner [of the District] shall be the chief controlling authority in respect of all matters relating to the administration of Panchayets in the district.	Deputy Commissioner to be Chief Controlling authority. Calls for no remark.
42. The Assistant Commissioner in charge of a taluk shall exercise all the powers of a Deputy Commissioner under this Regulation in respect of Panchayets in that taluk.	42. [**Subject to** the general **control of the Deputy Commissioner** of the District], the Assistant Commissioner in charge of a taluk shall exercise all the powers of a Deputy Commissioner under this Regulation in respect of Panchayets in that taluk, [**except those specified in Sections 4, 5, 13, 14, 36A, 45, 62 and 65.**]	Assistant Commissioner to exercise powers of Deputy Commissioner. The Assistant Commissioner should not exercise all the powers of a Deputy Commissioner. Certain sections are excluded from the operation of this clause and the Assistant Commissioner, even

45. The Deputy Commissioner may, by order in writing, require any Panchayet in his district to perform any duty—whether obligatory, discretionary or delegated under this Regulation—annul any proceedings which he considers [not to be] in conformity with law and may do all things necessary to secure such performance or conformity. Provided that when the duty required to be performed is discretionary or delegated, an appeal shall lie to Government [against] the order of the Deputy Commissioner.

46. The Deputy Commissioner, [the **Assistant Commissioner** in charge of a taluk or taluks] the Amildar [and any other **officer empowered by Government** in this behalf,] shall have access to all books, proceedings and records of every Panchayet within their respective jurisdictions.

47. The Deputy Commissioner [the **Assistant Commissioner** in charge of a taluk or taluks] the Amildar [or any other **officer empowered by Government** in this behalf] shall, in respect of Panchayets within [his] jurisdiction, have power at all times—

(*a*) to enter on and inspect or cause to be entered on and inspected, any immovable property occupied by or any work in progress under the orders of, or any institution controlled by, a Panchayet;

(*b*) to call for and inspect [any document which may be] for the purposes of this Regulation in the possession or under the control of a Panchayet;

(*c*) to require the Panchayet to furnish such statements, accounts and reports as he thinks fit; [and may give such advice in respect of the administrative work and proceedings as he thinks fit.]

48. The Government may appoint for each taluk one or more Inspectors of Panchayets [to secure better supervision over Panchayets and] to discharge such functions as may be assigned to him or them in regard to the administration of Panchayets. The Panchayets may be required to contribute towards the cost of such Inspectors.

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45. The Deputy Commissioner may, by order in writing, require any Panchayet in his district to perform any duty—whether obligatory, discretionary or delegated under this Regulation—annul any proceedings which he considers [to be not] in conformity with law and may do all things necessary to secure such performance or conformity. Provided that when the duty required to be performed is discretionary or delegated, an appeal shall lie to Government [from] the order of the Deputy Commissioner. Power of Deputy Commissioners.

46. [(1)] The Deputy Commissioner [and] the Amildar shall have access to all books, proceedings and records of every Panchayet within their respective jurisdictions. Inspection of records.

[(2) Any **officer authorised by the Deputy Commissioner** in this behalf shall have power to inspect and examine the books, proceedings and records of a Panchayet or Panchayets in the district.]

47. (1) The Deputy Commissioner [and] the Amildar shall, in respect of Panchayets within [their] jurisdiction, have power at all times— Inspection of property or work.

(*a*) to enter on and inspect or cause to be entered on and inspected, any immovable property occupied by, or any work in progress under the orders of, or any institution controlled by, a Panchayet;

(*b*) to call for and inspect, for the purposes of this Regulation, [any document which may be] in the possession or under the control of a Panchayet; and

(*c*) to require the Panchayet to furnish such statements, accounts and reports as he thinks fit.

[(2) Any **officer authorised by Government** in this behalf **may exercise the powers of an Amildar or a Deputy Commissioner,** as the case may be, in respect of a Panchayet or Panchayets.]

48. The Government may appoint for each taluk one or more Inspectors of Panchayets to discharge such functions as may be assigned to him or them in regard to the administration of Panchayets. The Panchayets may be required to contribute towards the cost of such Inspectors. Appointment of Inspectors.

"From" is substituted for "against" as the proper word.

"Assistant Commissioner" is omitted, because under clause 42, he exercises the powers of the Deputy Commissioner.

Any other officer has no jurisdiction over Panchayets and hence his powers of inspection, etc., under the authority of the Deputy Commissioner are relegated to a separate sub-clause.

Vide reasons under clause 46.

A document may be called for and inspected only for purposes of this Regulation and not otherwise. Hence the change.

The portion relating to the giving of advice is deleted.

Vide reason given under clause 46.

As the Inspector discharges such functions as are assigned to him, the portion relating to his supervision is omitted.

Clauses in the Bill	Clauses as amended by the Select Committee	Reasons for the change
49. (1) When the Amildar is informed on complaint made or otherwise that a Panchayet in his taluk has made default in performing any duty [imposed on it by or under this Regulation, the Amildar, if] satisfied after due enquiry that the Panchayet has been guilty of the alleged default, may, by an order in writing, fix a period for the performance of that duty.	49. (1) When the Amildar is informed on complaint made or otherwise that a Panchayet in his taluk has made default in performing any duty [under Section 19 and is] satisfied after due enquiry that the Panchayet has been guilty of the alleged default, [he] may, by an order in writing, fix a period for the performance of that duty. Power to provide for performance of duties in default of Panchayet.	The powers of an Amildar under this clause should be confined to the non-performance of obligatory duties only.
50. (1) If in the opinion of the Amildar, the execution of any order or resolution of a Panchayet in his taluk or the doing of any act which is about to be done, or is being done, in pursuance of or under cover of this Regulation, is likely to ~~cause [the]~~ injury or annoyance to the public or to any class or body of persons, or to lead to a breach of the peace, he may by order in writing, suspend the execution or prohibit the doing thereof.	50. (1) If in the opinion of the Amildar, the execution of any order or resolution of a Panchayet in his taluk or the doing of any act which is about to be done, or is being done, in pursuance of or under cover of this Regulation, is likely to cause injury or annoyance to the public or to any class or body of persons, or to lead to a breach of the peace, he may, by order in writing, suspend the execution or prohibit the doing thereof. Power to suspend execution of orders, etc.	The word 'the' is out of place and is omitted.
(2) When an Amildar makes any order under this section, he shall forthwith forward to the Deputy Commissioner a copy of the order, with a statement of [the reason] for making it, and it shall be in the discretion of the Deputy Commissioner to rescind the order or to direct that it shall continue in force with or without modification permanently or for such period as he thinks fit.	(2) When an Amildar makes any order under this section, he shall forthwith forward to the Deputy Commissioner a copy of the order, with a statement of [reasons] for making it, and it shall be in the discretion of the Deputy Commissioner to rescind the order or to direct that it shall continue in force with or without modification permanently or for such period as he thinks fit.	Calls for no remarks.
51. (1) In cases of emergency, the Amildar may provide for the execution of any work, or the doing of any act, which a Panchayet in his taluk is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the [**service or**] safety of the public, and may direct that the expense of executing the work or doing the act, with a reasonable remuneration to the person appointed to execute or to do it, shall be forthwith paid by the Panchayet.	51. (1) In cases of emergency, the Amildar may provide for the execution of any work, or the doing of any act, which a Panchayet in his taluk is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the safety of the public. [He shall forthwith **communicate his order** with the reasons therefor to the Panchayet] and may direct that the expense of executing the work or doing the act, with a reasonable remuneration to the person appointed to execute or to do it, shall be forthwith paid by the Panchayet. Extraordinary power of an Amildar in cases of emergency.	The powers conferred by this clause are extraordinary and are to be used only in cases of emergency. Hence the exercise of these powers is limited only to cases where the safety of the public is concerned. The Panchayet should be informed of the order passed.

persistently makes default in the performance of the duties imposed on it by or under this Regulation or [otherwise by] law, or exceeds or abuses its powers, the Deputy Commissioner [having jurisdiction] may, [by an order published with the reasons for making it, in the Official Gazette, declare] the Panchayet to be incompetent or in default, or to have exceeded or abused its powers as the case may be, and supersede it for a period to be specified in the order.	persistently makes default in the performance of the duties imposed on it by or under this Regulation or [by or under any] law, or exceeds or abuses its powers, the Deputy Commissioner [of the District] may, [after giving such Panchayet an opportunity of being heard, declare, by an order published in the Official Gazette, with the reasons for making it,] the Panchayet to be incompetent or in default, or to have exceeded or abused its powers as the case may be, and supersede it for a period to be specified in the order.	Panchayet in case of incompetency, default or abuse of powers.
(2) * * * *	(2) * *	
(3) * * * *	(3) * *	
	[(4) An **appeal** shall lie **to Government** from an order of the Deputy Commissioner under this section.]	
		When a Panchayet is superseded an appeal should lie to Government. Hence the addition.
53. (1) Save as otherwise provided for in this Regulation, an appeal shall lie [against] an order of—	53. (1) Save as otherwise provided for in this Regulation, an appeal shall lie [from] an order of—	Appeals.
(*a*) the Panchayet in a Taluk [to the Amildar of the Taluk;]	(*a*) the Panchayet in a Taluk, to the Assistant Commissioner in charge of the Taluk or to the Deputy Commissioner where there is no Asssistant Commissioner in charge; and	
[(*b*) the Amildar,] to the Assistant Commissioner in charge of the Taluk or to the Deputy Commissioner where there is no Assistant Commissioner in charge; and	[(*b*)] the Assistant Commissioner, to the Deputy Commissioner;	
[(*c*)] the Assistant Commissioner, to the Deputy Commissioner;	and shall be preferred within [**thirty**] days of the date of the order. The decision of the Deputy Commissioner shall be final.	
and shall be preferred within [**fifteen**] days of the date of the order.		
[(2)] The decision of the Deputy Commissioner shall be final.	[(2) **Appeals to Government** when expressly allowed under the Regulation shall be preferred **within ninety days** of the order of the Deputy Commissioner and the **decision** of the Government shall be **final.**]	
		When a Panchayet is superseded an appeal should lie to Government. Hence the addition.
		Calls for no remark.
		As the Amildar generally controls the actions of the Panchayet and may be a party to an order of the Panchayet, appeals from the orders of a Panchayet should lie to the Assistant Commissioner. The number of appeals is also curtailed and period of limitation is also extended to 30 days.
		No limitation is prescribed in the Bill for preferring appeals to Government. Hence the addition.
55. (1) If a dispute arises between a Municipal Council and a Panchayet within the same district, the matter shall be referred to the Deputy Commissioner; and the decision of the Deputy Commissioner thereon shall be final:	55. (1) If a dispute arises between a Municipal Council [not being a City Municipal Council,] and a Panchayet within the same district, the matter shall be referred to the Deputy Commissioner; and the decision of the Deputy Commissioner thereon shall be final:	Disputes between a Municipal Council and a Panchayet.
Provided that, if the Deputy Commissioner is a Councillor of the Municipal Council concerned, his functions under this section shall be discharged by the Government.	Provided that, if the Deputy Commissioner is a Councillor of the Municipal Council concerned, his functions under this section shall be discharged by the Government.	
(2) If a dispute arises between a Municipal Council and a Panchayet in different districts, the matter shall be referred to the Government; and the decision of the Government thereon shall be final.	(2) If a dispute arises [**between a City Municipal Council and a Panchayet or**] between a Municipal Council and a Panchayet in different districts, the matter shall be referred to the Government; and the decision of the Government thereon shall be final.	
		City Municipal Councils are not under the control of the Deputy Commissioners except under the special orders of Government. Hence the change.

Clauses in the Bill	Clauses as amended by the Select Committee.	Reasons for the change
Nil.	[55. A. Where a Panchayet has been established under this Regulation **for a village or villages under the control of a Sanitary Board** constituted under the provisions of the Mysore Mines Regulation, the **powers** that may be exercised by the **Amildar and the Assistant Commissioner** under the Regulation, shall be exercised by the **Vice-President** of the Board, and the powers of the **Deputy Commissioner**, by the **President** of the Board. Provided that **nothing** contained in this Regulation **shall affect the powers that are now exercised by a Sanitary Board in respect of the control of epidemics** in the area under its control.] President and Vice-President of Sanitary Board to exercise powers of Deputy Commissioner and Assistant Commissioner.	*Vide* clause 3. The Sanitary Board, Kolar Gold Fields, has agreed to the constitution of Panchayets for villages under its control, subject to conditions which are detailed in this new clause.
57. (1) If [after giving the member concerned a sufficient opportunity for showing cause to the contrary,] the Government are satisfied that the loss, waste or misapplication of any money or other property owned by, or vested in a Panchayet is a direct consequence of misconduct or gross neglect on [his part, they may,] by order in writing, direct such member to pay to the Panchayet before a date fixed, the amount required to re-imburse it for such loss, waste or misapplication.	57 (1) If the Government are satisfied that the loss, waste or misapplication of any money or other property owned by, or vested in a Panchayet is a direct consequence of misconduct or gross neglect on [the part of a member of the Panchayet, they may, after giving the Panchayetdar a sufficient opportunity for showing cause to the contrary,] by order in writing, direct such member to pay to the Panchayet before a date fixed, the amount required to re-imburse it for such loss, waste or misapplication. Liability of members for loss, waste or misapplication of property or money.	The clause is re-cast without altering the sense. Calls for no remarks.
58. (2) (*a*) No Civil Court shall entertain a suit objecting to an assessment, demand or charge made or imposed under this Regulation or for the recovery of any sum of money collected under the authority of this Regulation or for damages on account of any assessment or collection of money under the said authority; [Provided that] the provisions of this Regulation have been in substance and effect complied with.	58. (2) (*a*) No Civil Court shall entertain a suit objecting to an assessment, demand or charge made or imposed under this Regulation, or for the recovery of any sum of money collected under the authority of this Regulation, or for damages on account of any assessment or collection of money under the said authority, [if] the provisions of this Regulation have been in substance and effect complied with.	Proviso is more a condition than a proviso. Hence the change.
60. (1) * * * * * shall on conviction before a Magistrate [be liable to a] fine not exceeding rupees fifty; * * *	60. (1) * * * * * shall on conviction before a Magistrate [be punished with] fine which may extend to rupees fifty; * * *	"be punished with" is the usual formula and is substituted for "be liable to".
60. (2) (*b*) Compound for a similar sum any of the [offences aforesaid] and withdraw from the prosecution instituted under this regulation or any rule thereunder.	60. (2) (*b*) Compound for a similar sum any of the [aforesaid offences which, under any law for the time being in force, may lawfully be compounded] and withdraw from the prosecution instituted under this Regulation or any rule thereunder.	Re-cast so as to make it clear that offences under this Regulation which are not compoundable under any law for the time being in force, cannot be compound-

Nil	[60A. A **Panchayet may direct** any **prosecution** for any public nuisance whatever, and may order proceedings to be taken for the recovery of any penalties, and for the punishment of any persons offending against the provisions of this Regulation, or of any rule thereunder, and may order the expenses of such prosecutions or other proceedings to be paid out of the Panchayet fund. Panchayet may prosecute. Provided that **no prosecution** for an offence under this Regulation **shall be instituted except within six months** next after the commission of such offence.]	A provision similar to what exists in the Municipal Regulation regarding prosecutions for public nuisances is necessary.
61 (2) In particular, and without prejudice to the generality of the foregoing power, the Government shall have power to make rules :—	61 (2) In particular, and without prejudice to the generality of the foregoing power, the Government shall have power to make rules :—	
* * * * * * *	* * * * * * *	
(*f*) regarding the time, place and the conduct of meetings of Panchayets [and quorum ;]	(*f*) regarding the time, place and the conduct of meetings of Panchayets;	Quorum is already provided for. (*Vide* clause 17). Hence it is omitted here.
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[65] (2) When the person is an owner or occupier of any building or land, it shall not be necessary to name the owner or occupier in the document, and in the case of joint owners and occupiers, it shall be sufficient to serve it on, or send it to, one of such owners or occupiers.	[63] (2) When the person is an owner or occupier of any building or land, it shall not be necessary to name the owner or occupier in the document, and in the case of joint owners and occupiers, it shall be sufficient to serve it on, or send it to, [any] one of such owners or occupiers.	No remarks.